

T H U R S D A Y, DECEMBER 26, 1776.

[Continued from our last.]

of the JUSTICE of the war with AMERICA.

**B**UT enough has been said by others on this point; nor is it possible for me to throw any new light upon it. To finish, therefore, what I meant to offer under this head, I must beg that the following considerations may be particularly attended to.

The question now between us and the colonies is, whether in respect of taxation and internal legislation, they are bound to be subject to the jurisdiction of this kingdom; or, in other words, whether the *British* parliament has or has not, of right, a power to dispose of their property, and to model as it pleases their governments?—To this supremacy over them, we say, we are entitled; and in order to maintain it, we have begun the present war.—Let me here enquire,

31. Whether if we have now this supremacy, we shall not be equally entitled to it in any future time?—They are now but little short of half our number. To this number they have grown, from a small body of original settlers, by a very rapid increase. The probability is, that they will go on to increase; and that, in 50 or 60 years, they will be double our number; and form a mighty empire, consisting of a variety of states, all equal or superior to ourselves in all the arts and accomplishments which give dignity and happiness to human life. In that period, will they be still bound to acknowledge that supremacy over them which we now claim? Can there be any person who will assert this: or whose mind does not revolt at the idea of a vast continent, holding all that is valuable to it, at the discretion of a handful of people on the other side the Atlantic?—But if, at that period, this would be unreasonable, what makes it otherwise now?—I draw the line, if you can.—But there is still a greater difficulty.

*Britain* is now, I will suppose, the seat of liberty and virtue, and its legislature consists of a body of able and independent men, who govern with wisdom and justice. The time may come when all will be reversed: when this excellent constitution of government will be subverted: when, pressed by debts and taxes, it will be greedy to draw to itself an increase of revenue from every distant province, in order to ease its own burthens: when the influence of the crown, strengthened by luxury and an universal profligacy of manners, will have tainted every heart, broken down every fence of liberty, and rendered us a nation of tithes and contented vassals; when a general *election* will be nothing but a general *audition of boroughs*: and when the *parliament*, the grand council of the nation, and once the faithful guardian of the state, will be degenerated into a body of *scopulants*, dependent and venal, always ready to confirm any measures; and little more than a public court for registering royal edicts,—such, it is possible, may, some time or other, be the state of *Great Britain*.—What will, at that period, be the duty of the colonies? Will they be still bound to unconditional submission? Must they always continue an appendage to our government, and follow it implicitly through every change that can happen to it?—Wretched condition, indeed, of millions of freemen as good as ourselves.—Will you say that we now govern equitably; and that there is no danger of any such revolution?—Would to God this were true.—But will you not always say the same; Who shall judge whether we govern equitably or not?—Can you give the colonies any security—that such a period will never come? Once upon a time,

If we have indeed that power which we claim over the legislatures, and internal rights of the colonies, may we not, whenever we please, subject them to the arbitrary power of the crown? I do not mean that this would be a disadvantageous change; for I have before observed, that if a people are to be subject to an external power over which they have no command, it

better that power should be lodged in the hands of  
 one man than of a multitude.—But many persons think  
 otherwise; and such ought to consider that, if this  
 would be a calamity, the condition of the colonies must  
 be deplorable—"a government by king, lords, and  
 commons, (it has been said) is the perfection of go-  
 vernment;" and if it is, when the commons are a just  
 representation of the people; and when also, it is not  
 extended to any distant people, or communities, not  
 represented. But if this is the *best*, a government by  
 king only must be the *worst*; and every claim implying  
 a right to establish such a government among any people  
 must be unjust and cruel.—It is self evident, that by  
 claiming a right to alter the constitutions of the colonies,  
 according to our discretion, we claim this power; and  
 it is a power that we have thought fit to exercise in  
 some of our colonies; and that we have attempted to ex-  
 ercise in another.—*Canada*, according to the late ex-  
 tension of its limits, is a country almost as large as half  
*Europe*; and it may possibly come in time to be filled  
 with British subjects. The *Quebec* act makes the king  
 of *Great-Britain* a despot over all that country.—In  
 the province of *Massachusetts-bay* the same thing has  
 been attempted and begun.—

The act for BETTER regulating their government passed at the same time with the *Quebec* act, gives the king the right of appointing, and removing at his pleasure, the members of one part of the legislature; alters the mode of choosing judges, on purpose to bring it more under the influence of the king; and takes away from the province the power of calling any meetings of the people without the king's consent.—The judges, likewise, have been made dependent on the king for their nomi-

nation and pay, and continuance in office.—If all this is no more than we have a right to do, may we not go on to abolish the house of representatives, to destroy all trials by juries, and to give up the province absolutely and totally to the will of the king?—May we not even establish popery in the province, as has been lately done in *Canada*, leaving the support of protestantism to the king's discretion?—Can there be any Englishman who, were it his own case, would not sooner lose his heart's blood than yield to claims so pregnant with evils, and destructive to every thing that can distinguish a *freeman* from a *slave*?

I will take this opportunity to add, that what I have now said, suggests a consideration that demonstrates, on how different a footing the colonies are with respect to our government, from particular bodies of men *within* the kingdom, who happen not to be represented. Here it is impossible that the represented part should subject the *unrepresented* part to arbitrary power, without including themselves. But in the colonies it is *not* impossible. We know that it *has* been done.

*Whether the war with America is justified by the principles  
of the constitution.*

I HAVE proposed in the next place to examine the war with the colonies by the principles of the constitution.—I know, that it is common to say that we are now maintaining the constitution in America. If this means that we are endeavouring to establish our own constitution of government there, it is by no means true; nor, were it true, would it be right. They have chartered governments of their own with which they are pleased; and which, if any power on earth may change without their consent, that power may likewise, if it thinks proper, deliver them over to the grand seignior.—suppose the colonies of France and Spain had, by compacts, enjoyed for near a century and a half, free governments open to all the world, and under which they had grown and flourished; what should we think of those kingdoms, were they to attempt to destroy their governments, and to force upon them their own mode of government? Should we not applaud any zeal they discovered in repelling such an injury?—But the truth is, in the present instance, that we are not maintaining but violating our own constitution in America. The essence of our constitution consists in its independency. There is in this case no difference between *subjection* and *annihilation*.—Did, therefore, the colonies possess governments perfectly the same with ours, the attempt to subject them to ours would be an attempt to ruin them. A free government loses its nature from the moment it becomes liable to be commanded or altered by any superior power.

But I intended here principally to make the following observation. The fundamental principle of our government is, "The right of a people to give and grant their own money."—It is of no consequence, in this case, whether we enjoy this right in a proper manner or not. Most certainly we do not. It is, however, the principle on which our government, as a free government, is founded. The *spirit* of the constitution gives it us; and however imperfectly enjoyed, we glory in it as our first and greatest blessing. It was an attempt to encroach upon this right, in a trifling instance, that produced a civil war in the reign of Charles the first.—Ought not our brethren in America to enjoy this right as well as ourselves? Do the principles of the constitution give it us but deny it to them? Or can we, with any decency, pretend that when we give to the king *their* money, we give him *our own*? What difference does it make, that in the time of Charles the first the attempt to take away this right was made by *one man*; but that, in the case of America, it is made by *a body* of men?

In a word. This is a war undertaken not only against the principles of our own constitution, but on purpose to destroy other similar constitutions in America; and to substitute in their room a military force. It is, therefore, a gross and flagrant violation of the constitution.

NEWPORT, November 18.

Captain Skimmer, in a Massachusetts state sloop of war, has taken, and carried into Boston, a ship bound to New-York, having on board seventeen thousand five hundred and thirty-five pounds of gold, and thirty-five hundred pounds of cloaths, thirty thousand shirts, thirty thousand pair of stockings, thirty thousand pair of shoes, &c.

PHILADELPHIA, December 7.

The following vessels, taken and carried into the  
 state of Rhode-Island, are labelled in the court of admir-  
 alty there, viz. The schooper Endeavour, burthen one  
 hundred and twenty-five tons, her cargo consists of one  
 thousand bushels of salt, three hogheads of rum, eight  
 hogheads of molasses, one hoghead, three tierces, and  
 four barrels of sugar, Michael Dyer late master, bound  
 from Bermuda to Halifax in Nova-Scotia, taken by the  
 Montgomery privateer, Daniel Rutenberg commander.  
 —The brigantine Phoenix, burthen one hundred and  
 fifty tons; her cargo consists of about one thousand  
 quintals of dry fish, and one hundred and seventy-five  
 mummy ship casks, late commanded by John Darrel,  
 bound from the port of Quebec, in Canada, to the  
 island of Grenada, in the West-Indies, taken by the  
 Greenwich privateer; Job Pierce commander. —The  
 ship New-Wellmoreland, burthen three hundred tons;  
 her cargo consists of four hundred and twenty-nine  
 casks of sugar, ninety-six puncheons of rum, forty tons  
 of logwood, forty-nine mahogany planks, &c. late com-  
 manded by William Hore, bound from Jamaica to Lon-  
 don, taken by the brigantine Cabot, Elidia Hinman  
 commander. —The brigantine Live Oak, burthen two  
 hundred and sixty tons; her cargo consists of two hun-

dred and forty-seven hogheads of sugar, eighty-six puncheons of rum, four hundred and fifty pieces of mahogany, twenty-three tons of logwood, and fifteen hundred pounds weight of copper, &c. James Wallace late master, bound from Jamaica to London, taken by the Diamond privateer, Thomas Stacey commander.—A libel is likewise filed in said court against six hundred and eleven elephants teeth, two tons of pepper, six guns, three pounders, four howitzers, two swivel guns, four blunderbusses, one hundred small arms, one negro boy, twelve casks of powder, ten pistols, a quantity of sheet lead, flints and musket balls, captured and taken out of the brigantine Union, one Wilson late master, bound from the island of St. Christopher's, in the West-Indies, to Liverpool, in England, by James Munro, commander of the privateer Sally, of that state.

We hear from good authority, that the main body of our army is at Princeton, to which place gen. Washington has returned from Trenton; and that the detachment from gen. Howe's army, under the command of lord Cornwallis and gen. Vaughan, still continues at Brunswick.

The English soldiers, it seems, were so jealous of the plunder the Hessians got, that they likewise insisted upon the same privilege, which gen. Howe was obliged to allow, in order to pacify them and prevent a mutiny. And the devastation they make, wherever they come, is not to be equalled in history. They make no distinction: Whig or tory is all one to them.

W. A R - O F F I C E, December 7.

I am directed by the board of war to order all officers on the recruiting service in this State immediately to march the men they have inlisted to Philadelphia, leaving none at the several places where they now are, but such as shall be absolutely necessary for the service. Returns of the number already recruited are desired to be forthwith transmitted to the board. All officers in the service of the United States, arriving in Philadelphia, are desired to attend at the War-office, and make the proper returns.

By order of the board of war,

RICHARD PETERS, sec.

In COUNCIL of SAFETY, December 13.  
Major-general Putnam being arrived in this city, and having taken upon him the command by general Washington's orders—This is therefore to give notice to all officers of the militia, who arrive from the country, to apply to general Putnam immediately, and receive his directions.

By order of council

THOMAS WHARTON, jun. pref.

Head-quarters, Philadelphia, Dec. 13, 1776.

The general has been informed that some weak or wicked men have maliciously reported, that it is the design and wish of the officers and men in the continental army, to burn and destroy the city of Philadelphia. To counteract such a false and scandalous report, he thinks it necessary to inform the inhabitants who propose to remain in the city, that he has received positive orders from the hon. continental congress, and from his excellency general Washington, to secure and protect the city of Philadelphia against all invaders and enemies. The general will consider every attempt to burn the city of Philadelphia as a crime of the blackest dye, and will, without ceremony, punish capitally any incendiary who shall have the hardness and cruelty to attempt it.

The general commands all able-bodied men in the city of Philadelphia, who are not conscientiously scrupulous against bearing arms, and who have not been known heretofore to entertain such scruples, to appear in the state-house yard to-morrow morning at ten o'clock, with their arms and accoutrements. This order must be complied with; the general being resolutely determined that no person shall remain in this city an idle spectator of the present contest, who has it in his power to injure the American cause, or who may refuse to lend his aid to the support of its persons under consideration from day to day, or before a tribunal, only excepted.

All persons who have arms and accoutrements, which they cannot or do not mean to employ in defence of America, are hereby ordered to deliver them to Mr. Robert Towers, who will pay for the same. Those who are convicted of secreting any arms or accoutrements will be severely punished.

ISRAEL PUTNAM, major general.

The following authentic paper is published as a specimen of the polite manners and merciful spirit that animate the leaders of our enemies. This indecent paper was returned by a flag of truce, sent by general Gates from Ticonderoga to M<sup>re</sup> aux Noix.—The wretch, who signs the vulgar writing, ought to have felt, the superiority over himself and all abettors of tyranny, that the meanest of the many millions possess, who are now determined to drive lawless oppressors and oppressors from this free country.

*Camp at St. John's, November 15, 1776.*

THE boat from Ticonderoga, called a flag of truce, may be sent back with the persons who came in it. It is unnecessary to lay more to these people than to recat. That the commander in chief does not permit flags of truce, or any communication with the American rebels—unless coming to implore the king's mercy. He allowing these rebels in his boat to return and not made prisoners, is an instance of the clemency of his majesty's officers to these unfortunate people, but it is recommended to them to be careful how they venture